

PORTAGE WORLD-WIDE, INC. ET AND

Plaintiff(s)

- against -

MANHATTAN PORTAGE LTD ET AL

Defendant(s)

Index No.

AFFIDAVIT OF SERVICE

SUMMONS AND AMENDED COMPLAINT

STATE OF NEW YORK: COUNTY OF NEW YORK

ss:

DANIEL MILLER BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND IS OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on 04/15/08 at 0845AM Hours at C/O SEC. STATE 99 WASHINGTON AVENUE ALBANY NEW YORK  
deponent served the within SUMMONS AND AMENDED COMPLAINT  
SERVICE RETAIL UNLIMITED, INC.

therein named,

on

INDIVIDUAL

A ☐

by delivering a true copy of each to said personally; deponent knew the person so served to be the person described as said person therein. ☐ (S) He identified (her) himself as such.

CORPORATION

B ☐

XX SUITABLE AGE PERSON

C ☐

a (domestic) (foreign) corporation by delivering thereat a true copy of each to DONNA CHRISTIE personally, deponent knew said corporation so served to be the corporation described in legal papers and knew said individual to be AUTHORIZED AGENT thereof

AFFIXING TO DOOR, ETC.

D ☐

by delivering thereat a true copy of each to a person of suitable age and discretion. Said premises is recipient's (actual place of business) (dwelling house) (usual place of abode) within the state. ☐ (S) He identified (her) himself as of recipient

by affixing a true copy of each to the door of said premises, which is recipient's (actual place of business) (dwelling house) (usual place of abode) within the state. Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, thereat, having called there on the dates below:

MAILING USE WITH C or D

☐

Service upon the N.Y.S. Secretary of State under Section 306 of the B.C.L. and tendering a fee of \$40.00

Deponent also enclosed a copy of same in a postpaid sealed wrapper properly addressed to the above recipient and deposited

said wrapper in (a post office) official depository under exclusive care and custody of the United States Postal Service within New York State.

Deponent further states that he describes the person actually served as follows

Sex Skin Color Hair Color Age (Approx.) Height (Approx.) Weight (Approx.)

FEMALE

WHITE

BLOND

35

5' 5

140

MILITARY SERVICE

☐

Above person has asked, whether the recipient (s) was (were) in the military service of the State of New York or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the recipient (s) is (are) not in the military service of the State of New York or the United States as that term is defined in the statutes of the State of New York or the Federal Soldiers and Sailors Civil Relief Act.

That at the time of such service deponent knew the person (s) so served as aforesaid to be the same person (s) mentioned and described as the defendant(s) in this action.

USE IN NYC CIVIL CT.

☐

The language required by NYCRR 2900.2(e), (f) & (h) was set forth on the face of said summons (es).

Sworn to before me on the

04/15/08

SANDRA FARRON  
Notary Public, State of New York  
No. 01FA4784241  
Qualified in Nassau County  
Commission Expires Sept. 30, 2009

VINETTA BREWER  
Notary Public, State of New York  
No. 4949206  
Qualified in Bronx County  
Commission Expires April 3, 2011

DANIEL MILLER  
LICENSE No.

# 116967